



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 5/24/01

AGENDA ITEM 2

WORK SESSION ITEM

TO: Planning Commission

FROM: Maret Bartlett, Redevelopment Director

SUBJECT: Recommendation on Downtown Hayward Redevelopment Plan Amendment and Final Environmental Impact Report

RECOMMENDATION:

It is recommended that the Planning Commission recommend that the City Council/Redevelopment Agency Board:

- 1) Certify the Final Environmental Impact Report (FEIR) as being prepared in compliance with the requirements of the California Environmental Quality Act; and
- 2) Approve the proposed Downtown Hayward Redevelopment Plan Amendment with the finding that it is conformance with the City of Hayward General Plan.

BACKGROUND:

The Redevelopment Agency is considering an Amendment to its Downtown Hayward Redevelopment Plan which would add to the existing Project Area 738 acres along the Mission and Foothill Boulevard corridors, extending both north and south from the existing Redevelopment Project Area to the City limits. During the past year, the Planning Commission has considered various documents as part of the process of amending the Redevelopment Plan. On July 13, 2000 the Planning Commission approved an Amended Preliminary Plan, and, on March 8, 2001, the Commission approved a revised Amended Preliminary Plan, setting the boundaries for the proposed Amendment Area. Also on March 8th, the Planning Commission reviewed the Draft EIR, which had been released on February 21, 2001. Subsequent to that meeting, the Planning Commission has received copies of the Report to Council on the Redevelopment Plan Amendment, as well as the FEIR. At this time, the Planning Commission is being asked to recommend certification of the Final EIR and approval of the Redevelopment Plan Amendment as conforming to the City of Hayward General Plan, pursuant to Section 33346 of California Redevelopment Law.

Final Environmental Impact Report

The FEIR for the proposed Downtown Hayward Redevelopment Plan Amendment consists of two volumes, including the Draft EIR and the Final EIR.

The FEIR is intended to serve as a public disclosure document that identifies those environmental impacts associated with the proposed project, identifies possible mitigation measures that could minimize or eliminate identified significant adverse impacts, and identifies and evaluates a range of reasonable alternatives to the proposed project. The FEIR for the proposed Redevelopment Plan Amendment is a Program EIR and is used to describe the foreseeable, general impacts of a plan or program. Site-specific impacts of future projects that implement the plan can only be analyzed in greater detail once the exact nature of the project is known. These may include specific analyses of issues such as traffic, air quality, hazardous materials or cultural qualities of a development project. The use of Program EIR frequently, but not always, allows site-specific environmental review to be conducted more quickly and efficiently.

The Draft EIR was based on the premise that the redevelopment program would be successful in stimulating economic development, and that the Amendment Area could be expected to reach the full level of development permitted under the City's General Plan. The Draft EIR identified several environmental impacts that could potentially be significant and unavoidable even after implementation of mitigation measures. These impacts include light and glare, regional traffic growth and roadway congestion, short-term construction-related noise, seismic ground shaking and alteration or demolition of historic properties and features for some situations. The FEIR downgraded the impacts of light and glare to less than significant after it was recognized that these impacts could be effectively addressed by implementation of mitigation measures to be determined at the specific project level. The Draft EIR also identified three alternatives to the proposed Plan Amendment. These included: 1) a "no project" alternative, 2) a reduced Amendment Area Boundary that eliminated the unincorporated North Foothill area as well as the unincorporated La Vista Quarry area, and 3) an expanded Amendment Area Boundary that included the aforementioned unincorporated areas. The proposed Redevelopment Plan Amendment is now based on the second alternative.

The Final EIR document itself provides revisions to the Draft EIR, and responds to comments made with respect to the Draft EIR. The Draft EIR was circulated to a number of local, state and federal agencies as well as local interested parties and the public for a 45-day period. In addition to the comments made by the Planning Commission and the Redevelopment Agency, there were six letters submitted in response to the Draft EIR. The FEIR made certain changes to the text of the FEIR as a result of these comments, and also as a result of changes to the Redevelopment Plan Amendment itself and finally as a result of staff-initiated corrections.

The Redevelopment Plan Amendment

As previously indicated, the primary purpose of the proposed Redevelopment Plan Amendment is to add approximately 738 acres to the existing 610-acre Redevelopment Project Area. In addition, the Plan Amendment contains two other provisions. One is that the maximum amount of outstanding bonded indebtedness that the Agency can be liable for at any one time is increased by \$150 million to \$300 million (see Section 8 of the Plan Amendment). While staff does not anticipate that the Agency would ever approach that limit, the total amount of tax increment expected to be generated by the entire Project Area (existing and new) is expected to exceed that amount. Therefore, staff believes it prudent to expand the existing limit to this extent.

The other provision is to revise an existing clause which provides exemption from eminent domain for residential properties located within a particular five-block area of downtown, which were owned and occupied by the property owners as of March 28, 1987 (see Section 4a. of the Plan Amendment). This provision was put in place when this small area was added to the Redevelopment Project in 1987. Since that time, all but an estimated four properties have been sold by their original owner-occupants (see Attachment A). Because of this, and because of the opportunities and challenges that are presented by this area, staff believes that the Redevelopment Plan should be amended to allow eminent domain on these properties subject to a two-thirds vote (supermajority) of the Agency Board. Staff has sent special notices and a letter regarding the proposed Plan Amendment to the affected property owners and is attempting to contact them by telephone.

The Planning Commission is being requested to find that the proposed Redevelopment Plan Amendment is in conformance with the City of Hayward General Plan. Section VI of the existing Redevelopment Plan states that the permitted uses of the Redevelopment Plan are consistent with the Hayward General Policies Plan. In addition, the Report to Council, which was distributed indicates the current allowed General Plan designations in the Amendment Area in Chapter 4, Figures 11-14. The proposed projects contained in the initial Five-Year Implementation Plan found in Chapter 12, were developed as a result of review of pertinent General Plan policies, as well as the pertinent Neighborhood Plans. Finally, Chapter 4 of the Draft EIR provides a discussion of the existing planning context for the proposed Redevelopment Plan Amendment area. Attached are pages excerpted from that document that detail General Plan policies that are germane to the Redevelopment Plan Amendment.

Next Steps

Staff will forward the Planning Commission's Recommendation to the City Council/Agency Board at their Joint Public Hearing to consider the proposed Plan Amendment on June 12, 2001.

Prepared by:

Maret Bartlett
Maret Bartlett, Redevelopment Director

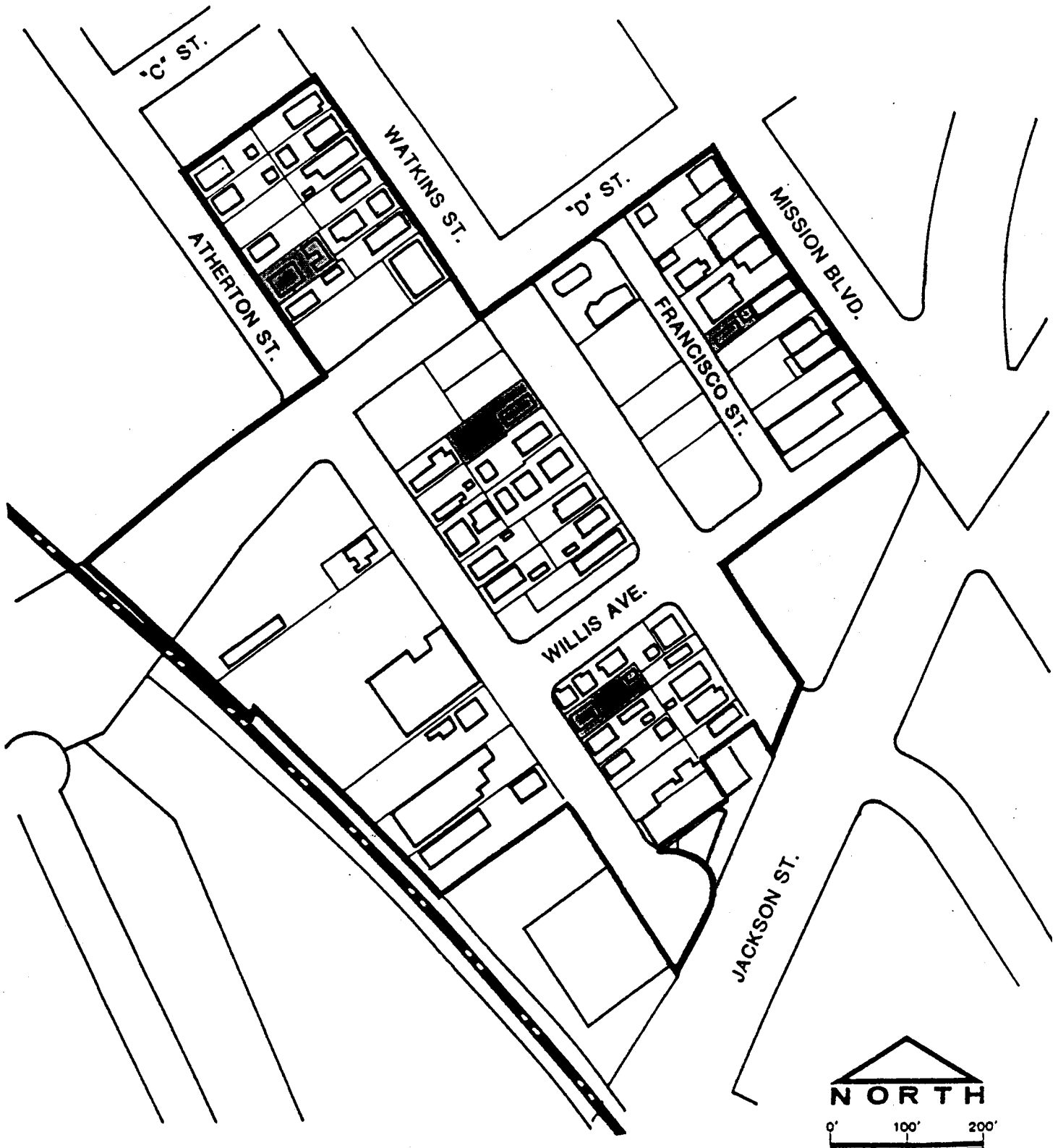
Recommended by:

Sylvia Ehrental (ARS)
Sylvia Ehrental, Director of Community
and Economic Development

Attachments:

- A. Map of Redevelopment Expansion Area No. - 1987 Residential Owner-Occupants
- B. Redevelopment Plan Amendment
- C. Final EIR
- D. Excerpts from the Draft EIR, Chapter 4
Resolution

Redevelopment Expansion Area No. 1
Known Residential Owner
Occupants Since March 1987



Due to the size, type or quality of the additional attachments, they are not scanable and therefore are not available for website viewing. The report, in its entirety, is available in the City Clerk's Office, Planning Division, and at the Main Library.